



Victim assistance in the context of the Anti-Personnel Mine Ban Convention

LESSONS LEARNT AND CHALLENGES
IN IMPLEMENTING THE VICTIM ASSISTANCE PROVISIONS OF
ANTI-PERSONNEL MINE BAN CONVENTION

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Sheree Bailey
Victim Assistance Specialist
AP Mine Ban Convention Implementation Support Unit
Geneva International Centre for Humanitarian Demining



AP Mine Ban Convention

Article 6.3

Each State Party in a position to do so shall provide assistance for the care and rehabilitation, and social and economic reintegration, of mine victims...



Victim assistance in the context of the Anti-Personnel Mine Ban Convention

First multilateral disarmament treaty that aimed to assist the victims

- Not clear what needed to be done?
- How this should be done?
- Who was ultimately responsible?



Components of Victim Assistance

Victim assistance, as defined by the States Parties:

- Understanding the extent of the challenges faced
- Emergency and continuing medical care
- Physical rehabilitation, including physiotherapy, prosthetics and assistive devices
- Psychological support and social reintegration
- Economic reintegration
- The establishment, enforcement and implementation of relevant laws and public policies



Victim assistance: Understanding the broader context

Victim assistance in the context of disability:

- "...the call to assist landmine victims should not lead to victim assistance efforts being undertaken in such a manner as to exclude any person injured or disabled in another manner"



Victim assistance: Understanding the broader context

Victim assistance in the context of broader health care, social services, rehabilitation, reintegration, human rights efforts:

- Victim assistance does not require the development of new fields or disciplines
- Landmine victim assistance should be viewed as a part of a country's overall public health and social services systems and human rights frameworks





Victim assistance: Understanding the broader context

Victim assistance in the context of broader of development:

- ...providing adequate assistance to landmine survivors must be seen in a broader context of development and underdevelopment....



Victim assistance: Understanding responsibility

- It is a basic responsibility of a State to ensure the well-being of its population



26 States Parties: – a more focused challenge

26 States Parties have indicated that they have a responsibility for significant numbers of landmine survivors:

- | | |
|------------------------------------|-----------------|
| □ Afghanistan | □ Guinea Bissau |
| □ Albania | □ Iraq |
| □ Angola | □ Jordan |
| □ Bosnia and Herzegovina | □ Mozambique |
| □ Burundi | □ Nicaragua |
| □ Cambodia | □ Peru |
| □ Chad | □ Senegal |
| □ Colombia | □ Serbia |
| □ Croatia | □ Sudan |
| □ Democratic Republic of the Congo | □ Tajikistan |
| □ El Salvador | □ Thailand |
| □ Eritrea | □ Uganda |
| □ Ethiopia | □ Yemen |



Nairobi Action Plan 2005-2009

Nairobi Action Plan aims to....

- « Enhance the care, rehabilitation and reintegration efforts....» through eleven actions



Nairobi Action Plan 2005-2009

Calls upon all States Parties

“to ensure the effective inclusion of mine victims in the work of the convention”



Standing Committee on Victim Assistance and Socio-Economic Reintegration

Co-Chairs

- 2007-2008 Cambodia and New Zealand
- 2006-2007 Austria and Sudan
- 2005-2006 Afghanistan and Switzerland
- 2004-2005 Nicaragua and Norway
- 2003-2004 Australia and Croatia
- 2002-2003 Colombia and France
- 2001-2002 Canada and Honduras
- 2000-2001 Japan and Nicaragua
- 1999-2000 Mexico and Switzerland





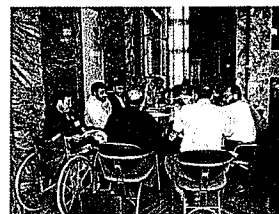
Victim Assistance Questionnaire

- what is the situation in 2005 in each of the six main thematic areas of victim assistance?
- what does the state wish the situation to be in each thematic areas by 2009?
- what are the plans to achieve these objectives in each thematic areas by 2009?
- what means are available or required to implement these plans?



Victim Assistance Questionnaire

- "not an end-product but rather an initial step in a long-term planning and implementation process"



Process Support

Aim of process support provided by the ISU

- those States Parties with good objectives will develop and implement good plans
- those with vague objectives will develop more concrete objectives
- those that have not engaged, or have engaged very little, in the process of developing objectives and plans will get engaged



Challenges

- Lack of understanding of commitments made
- Lack of involvement of relevant experts
- Lack of capacity and resources in some States
- Limited collaboration between ministries and other actors
- Potential for inefficient and ineffective use of resources and duplication of services



Challenges

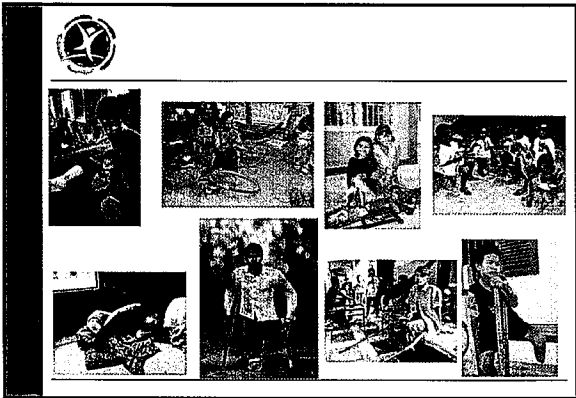
- Low priority given to disability issues by policy makers
- Overdependence on NGOs and other international agencies to provide services
- Disproportionate focus on donor responsibility rather than state responsibility
- Lack of inclusion of persons with disabilities in decision making processes
- Disability seen as a charity issue not a human rights issue




Key Lessons Learnt


- Victim assistance must be seen as concrete set of actions
- Victim assistance must be seen as State responsibility
- Victim assistance must be understood in its broader contexts
- Victim assistance should be undertaken in context of existing domains
- An inter-ministerial process is essential







 **Key Lesson Learnt**

- Victim Assistance framework is relevant for victims of all types of weapons and other traumatic injuries



 **Thank you!**



Anti-Personnel Mine Ban Convention
Implementation Support Unit
Geneva International Centre for
Humanitarian Demining
P.O. Box 1300
1211 Geneva 1
Switzerland
Sheree Bailey
Victim Assistance Specialist
+41-22-906-1656
s.bailey@gichd.org
www.apminebanconvention.org